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OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

ONE HUNDREDTH LEGISLATIVE DAY
TUESDAY, APRIL 21, 2009

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 9:30 a.m.

Roll call showed all members present except Acting Senator Thorson, absent and formally excused by the Chair.

Prayer was offered by Chaplain Henry Webb.

The Pledge of Allegiance was led by Natalie Tippetts, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 20, 2009, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 21, 2009

The JUDICIARY AND RULES Committee reports that [S 1226](#) has been correctly printed.

DARRINGTON, Chairman

[S 1226](#) was referred to the Finance Committee.

April 20, 2009

The JUDICIARY AND RULES Committee reports that Enrolled [S 1165](#), [S 1167](#), [S 1169](#), [S 1175](#), as amended, [S 1185](#), [S 1192](#), [S 1193](#), [S 1194](#), [S 1195](#), [S 1197](#), [S 1198](#), [S 1199](#), [S 1200](#), [S 1201](#), [S 1202](#), [S 1203](#), [S 1205](#), and [S 1206](#) were delivered to the Office of the Governor at 2:55 p.m., April 20, 2009.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 21, 2009

The FINANCE Committee reports out [S 1226](#) with the recommendation that it do pass.

CAMERON, Chairman

[S 1226](#) was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 17, 2009

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of the State the following Senate Bills, to wit:

[S 1096](#), [S 1151](#), [S 1129](#), [S 1158](#), [S 1013](#),
[S 1174](#), [S 1173](#), [S 1172](#), [S 1171](#), [S 1170](#),
[S 1153](#), [S 1154](#), [S 1015](#), [S 1020](#), as amended,
[S 1022](#), [S 1108](#), as amended, and [S 1146](#)

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 316](#), [H 317](#), [H 318](#), and [H 321](#), by Appropriations Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 287](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bilyeu, Brackett, Broadsword, Cameron, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Keough, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Winder. Total - 26.

NAYS—Andreason, Bock, Coiner, Kelly, LeFavour, Sagness (Malepeai), Stegner, Werk. Total - 8.

Absent and excused—Thorson (Stennett). Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 287](#) passed, title was approved, and the bill ordered returned to the House.

[H 299](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Thorson (Stennett). Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 299](#) passed, title was approved, and the bill ordered returned to the House.

[H 308](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bilyeu arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Thorson (Stennett). Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 308](#) passed, title was approved, and the bill ordered returned to the House.

[H 309](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Siddoway, Smyser, Stegner, Werk, Winder. Total - 33.

NAYS—Schroeder. Total - 1.

Absent and excused—Thorson (Stennett). Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 309](#) passed, title was approved, and the bill ordered returned to the House.

[H 310](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

On request by Senator Cameron, granted by unanimous consent, the following typographical correction was made to the Statement of Purpose attached to [H 310](#), pursuant to Senate and House Joint Rule 18:

The Statement of Purpose for [H 310](#) shall be corrected and revised to reflect that the figure 100 Million Percent be changed in the column listed as "FY 2010 Total" to: "One Hundred Percent (100%)".

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Thorson (Stennett). Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 310](#) passed, title was approved, and the bill ordered returned to the House.

[H 301](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Thorson (Stennett). Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 301](#) passed, title was approved, and the bill ordered returned to the House.

[H 302](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Thorson (Stennett). Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 302](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President Pro Tempore declared the Senate resolved into the Committee of the Whole and called Senator Stegner to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President Pro Tempore called the Senate to order.

Report of the Committee of the Whole

Senator Stegner, Chairman of the Committee of the Whole, reported out [H 256](#), as amended in the Senate, [H 303](#), and [H 262](#), without recommendation, amended as follows:

SENATE AMENDMENT TO SENATE AMENDMENT TO H 256

On page 1 of the printed amendment, delete lines 1 through 35; and on page 2, delete lines 1 through 18 and insert:

"AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 29, following "hours" insert: ", or for approved school activities as provided in subsection (4) of this section".

On page 2, delete lines 11 and 12, and insert:

"(e) The costs of providing transportation to and from approved school activities as may be approved by rules of the state board of education;"

in line 13, delete "~~(f)~~" and insert: "(f)"; in line 24, delete ", unless the school district"; delete line 25; in line 26, delete "case the cost per student rider shall be used"; in line 28, delete "if applicable"; delete lines 30 through 33, and insert: "is more favorable to the school district. A school district may".

AMENDMENT TO THE BILL

On page 4, following line 24, insert:

"SECTION 2. That Chapter 10, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1006A, Idaho Code, and to read as follows:

33-1006A. PUPIL TRANSPORTATION AUDITS. The state department of education shall audit the transportation operations of any school district with more than twenty (20) enrolled students per square mile that meets both of the following criteria:

(a) The school district's reimbursable costs, based on a three (3) year rolling average of the district's reimbursable costs, exceed one hundred three percent (103%) of the statewide average reimbursable cost per student rider; and

(b) The school district's costs, based on a three (3) year rolling average, are higher on a cost per student rider basis than on a cost per mile basis, as compared to the statewide average reimbursable costs for such measures.

For school districts audited under the provisions of this section, the state department of education shall furnish written recommendations for changes to improve the efficiency of transportation operations including, but not limited to, changes in bell times and routing. Recommendations shall not include changes regarding the decision of a school district on whether to contract for pupil transportation services or to provide such services directly. The recommendations shall state the amount that the department estimates that the school district's total expenditures will be reduced by implementing each recommendation. The department shall discuss its recommendations with the school district prior to finalizing them.

School districts failing to implement any recommendations in the subsequent school year shall have their transportation reimbursement reduced in that year by the lesser of the amount that the department estimated would be saved by all unimplemented recommendations, or the amount that the district's reimbursement would be reduced if the district were prohibited from using the cost per mile cap calculation pursuant to section 33-1006(5), Idaho Code."; and in line 25, delete "SECTION 2" and insert: "SECTION 3".

On page 6, following line 34, insert:

"SECTION 4. An emergency existing therefor, which emergency is hereby declared to exist, Section 2 of this act shall be in full force and effect on and after passage and approval."

CORRECTIONS TO TITLE

On page 1, in line 2, following "SCHOOLS" insert: "AND TRANSPORTATION SUPPORT"; delete lines 3, 4 and in line 5, delete "FOR CERTAIN COSTS" and insert: "TO PROVIDE THAT THE ONLY MILES FOR WHICH COSTS MAY BE REIMBURSED SHALL BE MILES DIRECTLY ASSOCIATED WITH TRANSPORTING STUDENTS FOR CERTAIN PURPOSES"; following line 11, insert: "AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1006A, IDAHO CODE, TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL AUDIT CERTAIN TRANSPORTATION OPERATIONS, TO PROVIDE FOR RECOMMENDATIONS AND TO PROVIDE FOR CERTAIN REDUCTIONS IN REIMBURSEMENT"; in line 12, delete "AND"; and in line 15, following "COSTS" insert: "; AND DECLARING AN EMERGENCY".

SENATE AMENDMENT TO H 303

AMENDMENT TO THE BILL

On page 3 of the printed bill, following line 6, insert:

"SECTION 3. That Section 33-1004, Idaho Code, be, and the same is hereby repealed.

SECTION 4. That Chapter 10, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1004, Idaho Code, and to read as follows:

33-1004. STAFF ALLOWANCE. For each school district, a staff allowance shall be determined as follows:

(1) Using the daily attendance reports that have been submitted for computing the February 15 apportionment of state funds as provided in section 33-1009, Idaho Code, determine the total support units for the district in the manner provided in section 33-1002(6)(a), Idaho Code;

(2) Determine the instructional staff allowance by multiplying the support units by 1.1. A district must demonstrate that it actually employs the number of certificated instructional staff allowed. If the district does not employ the number allowed, the staff allowance shall be reduced to the actual number employed;

(3) Determine the administrative staff allowance by multiplying the support units by .075;

(4) Determine the classified staff allowance by multiplying the support units by .375;

(5) Additional conditions governing staff allowance:

(a) In determining the number of staff in subsections (2), (3) and (4) of this section, a district may contract separately for services to be rendered by nondistrict employees and such employees may be counted in the staff allowance.

A "nondistrict employee" means a person for whom the

school district does not pay the employer's obligations for employee benefits. When a district contracts for the services of a nondistrict employee, only the salary portion of the contract shall be allowable for computations.

(b) If there are circumstances preventing eligible use of staff allowance to which a district is entitled as provided in subsections (2) and (3) of this section, an appeal may be filed with the state department of education outlining the reasons and proposed alternative use of these funds, and a waiver may be granted.

(c) For any district with less than forty (40) support units:

(i) The instructional staff allowance shall be calculated applying the actual number of support units. If the actual instructional staff employed in the school year is greater than the instructional staff allowance, then the instructional staff allowance shall be increased by one-half (1/2) staff allowance; and

(ii) The administrative staff allowance shall be calculated applying the actual number of support units. If the actual administrative staff employed in the school year is greater than the administrative staff allowance, then the administrative staff allowance shall be increased by one-half (1/2) staff allowance.

(iii) Additionally, for any district with less than twenty (20) support units, the instructional staff allowance shall be calculated applying the actual number of support units. If the number of instructional staff employed in the school year is greater than the instructional staff allowance, the staff allowance shall be increased as provided in paragraphs (i) and (ii) of this subsection, and by an additional one-half (1/2) instructional staff allowance.

(d) For any school district with one (1) or more separate secondary schools serving grades nine (9) through twelve (12), the instructional staff allowance shall be increased by two (2) additional instructional staff allowances for each such separate secondary school.

(e) Only instructional, administrative and classified personnel compensated by the school district from the general maintenance and operation fund of the district shall be included in the calculation of staff allowance or in any other calculations based upon staff, including determination of the experience and education multiplier, the reporting requirements, or the district's salary-based apportionment calculation. No food service staff or transportation staff shall be included in the staff allowance.

(6) In the event that the staff allowance in any category is insufficient to meet accreditation standards, a district may appeal to the state board of education, demonstrating the insufficiency, and the state board may grant a waiver authorizing sufficient additional staff to be included within the staff allowance to meet accreditation standards. Such a waiver shall be limited to one (1) year, but may be renewed upon showing of continuing justification.

SECTION 5. Sections 1 and 2 of this act shall be in full force and effect on and after July 1, 2009. Sections 3 and 4 of this act shall be in full force and effect on and after July 1, 2011."

CORRECTION TO TITLE

On page 1, in line 9, following "ATTENDANCE" insert: "; REPEALING SECTION 33-1004, IDAHO CODE, RELATING TO STAFF ALLOWANCE; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1004, IDAHO CODE, TO PROVIDE THE METHOD OF DETERMINING STAFF ALLOWANCE FOR

EACH SCHOOL DISTRICT, TO PROVIDE ADDITIONAL CONDITIONS GOVERNING STAFF ALLOWANCE AND TO PROVIDE FOR A WAIVER AUTHORIZING SUFFICIENT ADDITIONAL STAFF; AND TO PROVIDE EFFECTIVE DATES".

SENATE AMENDMENT TO H 262

AMENDMENT TO THE BILL

On page 1 of the printed bill, delete lines 17 through 33; on page 3, delete lines 1 through 43; on page 4, delete lines 1 through 33; also on page 4, delete lines 39 through 41; on page 5, delete lines 1 and 2; and renumber sections accordingly.

CORRECTION TO TITLE

On page 1, delete lines 2 through 15, and insert:

"RELATING TO EDUCATION; AMENDING SECTION 33-1004A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DETERMINATION OF CERTAIN ALLOWANCES; AND DECLARING THAT THE LEGISLATURE RECOGNIZES THAT SCHOOL DISTRICTS AND PUBLIC CHARTER SCHOOLS WILL RECEIVE REDUCED FUNDING AND ENCOURAGES THE DISTRICTS AND PUBLIC CHARTER SCHOOLS TO ACCOMMODATE SUCH REDUCTIONS."

The Committee also has [S 1055](#), [S 1092](#), [S 1095](#), [S 1147](#), and [S 1087](#) under consideration, reports progress, and begs leave to sit again.

STEGNER, Chairman

On motion by Senator Stegner, seconded by Senator Werk, the report was adopted by voice vote.

[H 256](#), as amended in the Senate, as amended in the Senate, [H 303](#), as amended in the Senate, and [H 262](#), as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Kelly, by voice vote the Senate recessed at 12:10 p.m. until the hour of 1:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., pursuant to recess, Acting President Darrington presiding.

Roll call showed all members present except Acting Senator Thorson, absent and formally excused by the Chair; and Senators McGee, McKenzie, and Stegner, absent and excused.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator McGee was recorded present at this order of business.

April 21, 2009

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 256](#), as amended in the Senate, [H 303](#), and [H 262](#) have been correctly printed.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

April 21, 2009

Dear Mr. President:

I transmit herewith Enrolled [H 306](#) and [HCR 30](#) for the signature of the President.

ALEXANDER, Chief Clerk

The Acting President announced that Enrolled [H 306](#) and [HCR 30](#) will be held at the desk for the signature of the President and, when so signed, will be returned to the House.

April 21, 2009

Dear Mr. President:

I return herewith [SCR 112](#) and [S 1221](#), which have passed the House.

ALEXANDER, Chief Clerk

[SCR 112](#) and [S 1221](#) were referred to the Judiciary and Rules Committee for enrolling.

April 21, 2009

Dear Mr. President:

I return herewith Enrolled [S 1207](#), [S 1208](#), [S 1209](#), [S 1210](#), [S 1211](#), [S 1212](#), [S 1217](#), [S 1218](#), [S 1219](#), and [S 1220](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1207](#), [S 1208](#), [S 1209](#), [S 1210](#), [S 1211](#), [S 1212](#), [S 1217](#), [S 1218](#), [S 1219](#), and [S 1220](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 21, 2009

Dear Mr. President:

I return herewith Enrolled [SCR 111](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [SCR 111](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

Senator Stegner was recorded present at this order of business.

S 1227 BY FINANCE COMMITTEE AN ACT

PROVIDING LEGISLATIVE INTENT FOR THE GOVERNOR TO ACCESS FUNDS IN FISCAL YEAR 2009; AUTHORIZING THE BOARD OF EXAMINERS TO TRANSFER FUNDS FROM THE PUBLIC EDUCATION STABILIZATION FUND TO THE GENERAL FUND AT THE END OF FISCAL YEAR 2009; AUTHORIZING THE BOARD OF EXAMINERS TO TRANSFER FUNDS FROM THE BUDGET STABILIZATION FUND TO THE GENERAL FUND AT THE END OF FISCAL YEAR 2009; PROVIDING LEGISLATIVE INTENT THAT CERTAIN CASH BALANCES IN THE GENERAL FUND SHOULD BE MAINTAINED AT THE BEGINNING OF FISCAL YEAR 2010; AUTHORIZING THE GOVERNOR TO DIRECT THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE BUDGET STABILIZATION FUND AND THE PUBLIC EDUCATION STABILIZATION FUND UNDER CERTAIN CONDITIONS AT THE BEGINNING OF FISCAL YEAR 2010; APPROPRIATING AND TRANSFERRING MONEYS FROM THE BUDGET STABILIZATION FUND TO THE GENERAL FUND IN FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2010 FROM THE AMERICAN REINVESTMENT FUND FOR PUBLIC WATER SYSTEMS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2010 FROM THE AMERICAN REINVESTMENT FUND FOR WASTEWATER TREATMENT PROJECTS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2010 FROM THE AMERICAN REINVESTMENT FUND FOR THE IDAHO EDUCATION NETWORK; AUTHORIZING AN ADDITIONAL FULL-TIME EQUIVALENT POSITION TO THE DEPARTMENT OF ADMINISTRATION; STATING LEGISLATIVE INTENT THAT THE PROJECT INFRASTRUCTURE FOR THE IDAHO EDUCATION NETWORK SHOULD BE PRIMARILY LOCATED WITHIN IDAHO; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2009 FROM THE AMERICAN REINVESTMENT FUND; PROVIDING LEGISLATIVE INTENT TO DISTRIBUTE FUNDS THROUGH THE IDAHO TRANSPORTATION BOARD FOR GRANTS; AUTHORIZING THE IDAHO TRANSPORTATION DEPARTMENT REAPPROPRIATION OF THE UNENCUMBERED AND UNEXPENDED FUNDS FROM THE AMERICAN REINVESTMENT FUND FOR FISCAL YEAR 2010; PROVIDING LEGISLATIVE INTENT TO MAKE NULL AND VOID ALL REFERENCES TO A REDUCTION OF SALARIES IN FISCAL YEAR 2010 APPROPRIATIONS; APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE GOVERNOR TO BE USED FOR EXECUTIVE BRANCH PERSONNEL COSTS; APPROPRIATING ADDITIONAL DEDICATED AND FEDERAL FUNDS FOR FISCAL YEAR 2010 TO AGENCIES AND INSTITUTIONS FOR PERSONNEL COSTS; APPROPRIATING ADDITIONAL MONEYS TO THE LEGISLATURE FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE LEGISLATIVE COUNCIL FOR FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE SUPREME COURT FOR FISCAL YEAR 2010; AND DECLARING AN EMERGENCY.

Total - 35.

Whereupon the Acting President declared [S 1227](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, the following bills were placed at the foot of the Third Reading Calendar: **H 275, S 1224, S 1225**, and **H 311**.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Kelly, by voice vote, the Senate adjourned at 4:05 p.m. until the hour of 9:30 a.m., Wednesday, April 22, 2009.

BRAD LITTLE, President

Attest: JEANNINE WOOD, Secretary